

Finally, Mr. Speaker, the rule provides one motion to recommit.

Mr. Speaker, the chairman of the Committee on Resources, Mr. YOUNG, requested an open rule for this legislation. The open rule was reported out of the Committee on Rules by voice vote. Under the proposed rule each Member has an opportunity to have their concerns addressed, debated, and ultimately voted up or down by this body.

Once again, Mr. Speaker, the underlying legislation directs the Secretary of the Interior to convey a Federal fish hatchery, this time located in the State of Iowa in Fairport, IA. For the last 22 years the State of Iowa has operated the facility. And at this point in time the State would like to upgrade the facility, but is unable to justify the expense of the improvements without having legal title to the property.

H.R. 584 would transfer ownership of the hatchery and immediate property and buildings to the State of Iowa. The bill is supported by both the State of Iowa and the U.S. Fish and Wildlife Service, and it was reported out of the Committee on Resources by voice vote.

Once again, Mr. Speaker, this rule provides for any amendments to be brought up. We understand that a similar amendment to the preceding legislation that was just discussed may be offered, but under the open rule all Members will have the opportunity to have their voices aired, discussed, and voted on.

Mr. Speaker, I urge my colleagues to support this open rule.

Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is, as the gentlewomen pointed out, an open rule for a noncontroversial bill. We support the rule, and we urge our colleagues to do the same.

We also support the objective of the bill, H.R. 584, to convey the fish hatchery to the State of Iowa, which has been operating it for several years now.

We do have some concerns about transferring this property to the State of Iowa, which has been using the hatchery very successfully for State recreational purposes, without reimbursement. The gentleman from California [Mr. MILLER], who is the ranking member on the Resources Committee and its former chairman, may offer an amendment to the bill that we think deserves the attention of our colleagues.

Mr. MILLER raised several important points in his dissenting views on this bill. He questioned the give-away of Federal assets to the State of Iowa without reimbursement to the Federal taxpayers for their investment, especially since no one knows the true value of the property—there has been no appraisal of the buildings and land since 1983.

His amendment would require an updated appraisal of this property that

has a choice location and a commercial potential that could result in significant revenue for the United States. Mr. MILLER's amendment would also require payment of fair market value by the State to reimburse Federal taxpayers for their investment.

Under this open rule, Mr. MILLER and any other Member may offer germane amendments such as this one.

Again, we urge our colleagues to approve this rule for the bill conveying ownership of the Fairport Fish Hatchery to the State of Iowa.

Mr. Speaker, I yield back the balance of my time.

Mrs. WALDHOLTZ. Mr. Speaker, we have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 535, THE CORNING NATIONAL FISH HATCHERY CONVEYANCE ACT

Mrs. WALDHOLTZ. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 144 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 144

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 535) to direct the Secretary of the Interior to convey the Corning National Fish Hatchery to the State of Arkansas. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. The bill and the amendment recommended by the Committee on Resources now printed in the bill shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gentlewoman from Utah [Mrs. WALDHOLTZ] is recognized for 1 hour.

Mrs. WALDHOLTZ. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 144 is another open rule providing for the consideration of H.R. 535, legislation directing the Secretary of the Interior

to convey Corning National Fish Hatchery to the State of Arkansas.

Specifically, this rule provides 1 hour of general debate equally divided and controlled by the chairman and the ranking member of the Committee on Resources. After general debate is completed, the bill will be considered for amendment under the 5-minute rule. The bill and the amendment recommended by the Resources Committee now printed in the bill shall be considered as read. Finally, the rule provides one motion to recommit.

Mr. Speaker, House Resolution 144 will permit the House to consider legislation sponsored by our colleague, Representative BLANCH LAMBERT LINCOLN, to convey the Corning National Fish Hatchery, which is located in Corning, AR, to the State of Arkansas.

As will be described in more detail later, the State of Arkansas assumed control of the fish hatchery from the U.S. Fish and Wildlife Service in 1983, when it was closed as a result of Federal budget cuts. Currently, no Federal funds are being used to operate or maintain the hatchery. It is my understanding that the State is now interested in making capital improvements to the facility, in addition to long-term plans for its use. However, the State is hesitant to do so without first obtaining title to the property.

H.R. 535 would facilitate the transfer to the State of Arkansas of all right, title, and interest of the United States in and to the property of the Corning Fish Hatchery. An amendment adopted during subcommittee consideration of the bill would ensure that these rights and interests will revert to the United States if the property is used for any purpose other than fishery resources management.

Mr. Speaker, let me take just a moment to respond to those who might question why we are considering this legislation under a rule at all, rather than under suspension of the rules. As our colleagues know, suspension of the rules is an effective tool for considering relatively noncontroversial legislation in an expedited manner. Debate is limited to just 40 minutes, and bills considered under suspension are unamendable on the floor of the House.

During our Rules Committee hearing on the bill last week, we discussed the possibility of at least two amendments to H.R. 535, including one to be offered by the sponsor of the bill, and one by the ranking minority member of the Resources Committee requiring the State of Arkansas to pay the Federal Government the fair market value of the Corning facility at the time of transfer. Under suspension, any such floor amendments would be prohibited. Under this open rule, however, an open amendment process is guaranteed. Any Member can be heard on any germane amendment to the bill at the appropriate time.

Mr. Speaker, H.R. 535 was favorably reported out of the Committee on Resources by voice vote, as was this rule

by the Rules Committee. In fact, the Committee on Rules reported this resolution unanimously, without a single "nay" vote. I urge my colleagues to support this very open rule, and con-

tinue the spirit of openness and thoughtful debate that has enhanced the overall deliberative process in the House this year.

Mr. Speaker, I am including for the RECORD this chart that shows what rules have been offered in the 104th Congress and the 103d Congress.

The chart follows:

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,¹ 103D CONGRESS V. 104TH CONGRESS

[As of May 12, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open ²	46	44	27	77
Modified Closed ³	49	47	8	23
Closed ⁴	9	9	0	0
Totals:	104	100	32	100

¹ This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

² An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

³ A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

⁴ A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of May 12, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350-71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255-172 (1/25/95).
		H.J. Res. 1.	Balanced Budget Amdt.	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif.	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/10/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229-100; A: 227-127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230-191; A: 229-188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: v.v. (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282-144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252-175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253-165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271-151 (3/1/95).
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 105 (3/6/95)	MO			A: 257-155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234-191; A: 247-181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1158	Making Emergency Supp. Appropriations	A: 242-190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt.	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217-211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423-1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228-204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253-172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414-4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. Speaker, I reserve the balance of my time.

□ 1300

Mr. BEILENSON. Mr. Speaker, I thank the gentlewoman from Utah [Mrs. WALDHOLTZ] for yielding the customary ½ hour of debate time to me.

Mr. Speaker, I yield myself such time as I can consume.

Mr. Speaker, this is an open rule, as the gentlewoman has stated.

The Committee on Rules reported the rule for this basically noncontroversial bill. We support the rule. We urge our colleagues to approve it today.

The gentlewoman from Arkansas [Mrs. LINCOLN] appeared before our

committee last week to support the open rule for this bill, a bill which she herself originally introduced. She reminded us of similar legislation passed last year under suspension of the rules and of the noncontroversial nature of the measure.

We also appreciated her testimony. The State of Arkansas wants to preserve this property and is willing to make improvements and implement long-term plans if it can assume ownership.

The State of Arkansas, along with several other States, is evidently operating these hatcheries with a good deal of success for recreational purposes.

The Fish and Wildlife Service plans to transfer several other excess properties to other States, all without reimbursement. The gentleman from California [Mr. MILLER] may again offer an amendment to the bill which would require the State of Arkansas to pay the Federal Government the fair market value of the property.

Mr. Speaker, again, we support this open rule and urge our colleagues to approve it today.

Also, Mr. Speaker, I am inserting extraneous material at this point in the RECORD.

The material referred to follows:

Floor Procedure in the 104th Congress; Compiled by the Rules Committee Democrats

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.

Floor Procedure in the 104th Congress; Compiled by the Rules Committee Democrats—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive: Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive: only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive: considered in House no amendments	N/A
H.R. 2*	Line Item Veto	H. Res. 55	Open: Pre-printing gets preference	N/A
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open: Pre-printing gets preference	N/A
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open: Pre-printing gets preference	N/A
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive: 10 hr. Time Cap on amendments	N/A
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open: Pre-printing gets preference; Contains self-executing provision	N/A
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive: brought up under UC with a 6 hr. time cap on amendments	N/A
S. 2	Senate Compliance	N/A	Closed: Put on suspension calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed	H. Res. 88	Restrictive: makes in order only the Gibbons amendment; waives all points of order; Contains self-executing provision.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive: makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive: 10 hr. Time Cap on amendments	N/A
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive: 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive: 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive: 7 hr. time cap on amendments; Pre-printing gets preference	N/A
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive: makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive: Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive: Makes in order only 4 amendments considered under a "Queen of the Hill" procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive: Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a "Queen of the Hill" procedure; All points of order are waived against the amendments.	5D; 26R
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive: Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive: waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open: waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XI against the committee substitute.	N/A
H.R. 961	Clean Water Act	H. Res. 140	Open: pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A
H.R. 584	Conveyance of the Fairport National Fish Hatchery of the State of Iowa	H. Res. 145	Open	N/A
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility	H. Res. 146	Open	N/A

* Contract Bills, 67% restrictive; 33% open. ** All legislation, 59% restrictive; 41% open. *** Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. **** Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. WALDHOLTZ. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was on the table.

ELIMINATING NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL FROM THE GOALS 2000: EDUCATE AMERICA ACT

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1045) to amend the Goals 2000: Educate America Act to eliminate the National Education Standards and Improvement Council, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ELIMINATION OF THE NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL.

(a) REPEALS.—Subsection (b) of section 241, sections 211 through 218 of Part B of title II, and section 316 of the Goals 2000: Educate America Act (20 U.S.C. 5841 et seq.) are repealed.

(b) AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT.—

(1) Section 201(3) of the Goals 2000: Educate America Act (20 U.S.C. 5812(3)) is amended by striking all that follows after "opportunity-to-learn standards" and inserting a period.

(2) Section 203(a) of such Act (20 U.S.C. 5823(a)) is amended by striking paragraphs (3) and (4) and by redesignating paragraphs (5) and (6) as paragraphs (3) and (4), respectively.

(3) Section 204(a)(2) of such Act (20 U.S.C. 5824) is amended by striking "described in section 213(f)".

(4) Section 219 of such Act (20 U.S.C. 5849) is amended—

(A) in subsection (a)(1) by striking "consistent with the provisions of section 213(c)."; and

(B) by striking subsection (b) and inserting the following:

"(b) APPLICATIONS.—Each consortium that desires to receive a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require."

(5) Section 220(a) of such Act (20 U.S.C. 5850(a)) is amended by striking "to be used" and all that follows through "by the Council".

(6) Section 221(a) of such Act (20 U.S.C. 5851(a)) is amended—

(A) in paragraph (1)—

(i) subparagraph (A), by striking "and the Council"; and

(ii) by striking subparagraphs (B) and (C) and redesignating subparagraph (D) as subparagraph (B); and

(B) in paragraph (2), by striking "and the Council, as appropriate."

(7) Section 308(b)(2)(A) of such Act (20 U.S.C. 5888(b)(2)(A)) is amended by striking "including—" and all that follows through the end of clause (ii) and inserting "including through consortia of States".

(8) Section 314(a)(6) of such Act (20 U.S.C. 5894(a)(6)) is amended by striking "if—" and all that follows through "(B)" and inserting "if".

(9) Section 315 of such Act (20 U.S.C. 5895) is amended in subsection (b)—

(A) paragraph (1)(A), by striking "paragraph (4) of this subsection" and inserting "paragraph (3)";